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“Such backlogs endanger our nation because they allow individuals who may pose a risk to the national security or public safety to remain in the United States while their applications for benefits are pending.”

***-Rep. John Hostettler (R-IN),
Chairman of the House Subcommittee on Immigration, Border Security and Claims***

[In Over Our Heads](#)

The federal government can't handle the current immigration workload, so let's give them millions of new customers!

by Rep. John Hostettler

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“Illegal immigrants do the jobs that Americans won't do”.

For those who advocate a so-called guestworker program for illegal immigrants, this is their mantra of choice.

Yet numerous experts have concluded that this is simply not the case. Research by the Center for Labor Market Studies and the Center for Immigration Studies, for example, indicates that American citizens in the construction and labor sectors are actually being displaced by illegal immigration in large numbers. American citizens are essentially being told to wait in line for a job behind illegal immigrants.

The reality is that American citizens will do the jobs that illegal immigrants do, but they expect to be paid a legal wage and they expect their employers to abide by state and federal worksite regulations. Illegal immigrants do not and cannot expect these standards, and employers know that. So they break the law and American citizens lose out.

But let's take this argument off the table for a moment. Let's pretend that America desperately needs a guestworker program and that American workers

are not in fact being displaced at all.

Then let's ask ourselves one question: Could the federal government implement a guestworker program if it were called upon to do so?

For the answer, we need look no further than the U.S. Citizenship and Immigration Services (USCIS). This is the federal agency that would administer a so-called guestworker program.

The Senate's immigration legislation proposes four separate ways of dealing with aliens illegally present in the United States. While they don't all work in exactly the same way, they all allow illegal immigrants to live and work in the United States with the opportunity eventually to receive green cards and citizenship. These illegal immigrants will have to be processed, and this will be the job of the USCIS.

There is some debate as to how many people USCIS would have to process, but most estimate that there are between 11 and 20 million illegal immigrants in the United States today. Given this estimate, let's look at how well USCIS is currently processing immigrants.

In July 2001, President Bush set a six-month goal for processing legal immigration applications from start to finish. It looked as if the goal would be met by the revised estimate of the end of September 2006, but the Government Accountability Office concluded that it "seems unlikely that USCIS will meet its backlog elimination goal."

Figures included in a June 2006 report by the USCIS Ombudsman demonstrate how far the agency has to go. Those figures show that, as of May 22, 2006, at least 49 USCIS field offices have applications that were backlogged more than six months. A check of the USCIS's website on July 26, 2006, shows that it takes almost one and a half years for USCIS to process an adjustment application in the agency's Chicago office. This is not the worst backlog, however. An applicant will wait more than two and a half years for naturalization in Charleston, South Carolina, and an adjustment applicant in Greer, South Carolina, will wait more than three years.

USCIS claims to have made progress, however. It says that it had more than 3.5 million backlogged cases in 2003, and that it has only 276,000 today.

That seemed like progress, but further investigation revealed that much of this “progress” was made through “reclassification.” In other words, USCIS simply redefined which cases were backlogged and which cases were not.

Such backlogs endanger our nation because they allow individuals who may pose a risk to the national security or public safety to remain in the United States while their applications for benefits are pending.

To make matters worse, a former USCIS official has testified that the agency “is operating an immigration system designed not to aggressively deter or detect fraud, but first and foremost to approve applications. Ours is a system that rewards criminals and facilitates the movements of terrorists.”

The agency that will be called upon to administer a guestworker program is the same agency that “rewards criminals,” “facilitates the movements of terrorists,” and has ongoing difficulties in providing timely services to applicants.

What the Senate is proposing is to take this same organization and add between 11 and 20 million people to its current workload instantaneously. This is like awarding a PhD to a high school dropout who has failed to pass the GED. It is just too much responsibility to be given to an agency with this sort of track record; the USCIS would be in way over its head and unable to accomplish the job.

The same former USCIS official has told the House Immigration Subcommittee — of which I am the chairman — that “asking USCIS to implement a proposal as sweeping as S.2611 [the Senate’s immigration bill] without first addressing the existing national security vulnerabilities in our immigration system would be irresponsible....The Agency has neither the personnel nor the infrastructure to process an additional 10 to 20 million applications. I would go one step further and suggest that USCIS could never implement S. 2611 without fully comprising national security.”

In a word, it’s madness.

A guestworker program would open the floodgates to the world, and maybe then we could talk about American workers being displaced — as well as imperiled.

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House Republican Conference Press Office

202a Cannon HOB

(202) 226-9000